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Behind the BSP Victory

Many simplistic explanations have been offered for the Bahujan Samaj Party's stunning victory in the recent Uttar Pradesh assembly elections. A better understanding can be had from a study of the historical struggle of the "Bahujan Movement" of which the BSP is an offshoot.

VIVEK KUMAR

If Indian political democracy can be proud of one thing it should be that a dalit woman has become chief minister of India's most populated state, Uttar Pradesh, not once but four times. Mayawati's ascendance to the post of the chief minister in 2007 is the greater historical event because she has occupied office on her party's own strength, without outside support or in coalition. The Bahujan Samaj Party's (BSP) recent victory in UP is also historical because for the first time in modern Indian politics a political party led and dominated by dalits has come to power on its own.

But ironically the mainstream media, intelligentsia and academia have been interpreting BSP's victory in an oversimplified manner. Earlier they labelled the BSP as a movement spreading the venom of casteism, a party without ideology, a "power hungry" outfit without any agenda of emancipation and only committed to erecting Ambedkar's statues and gardens, celebrating birthdays, etc. In each election they predicted its doom and in poll surveys of 2007 gave the BSP only 120-160 seats. Now these analysts are evaluating BSP's victory in terms of a dalit-brahmin social engineering programme led by brahmins, an anti-incumbency effect and the effectiveness of the Election Commission in overseeing the elections, etc, without substantiating why only the BSP has benefited from these factors.

Media's Myopia

The media's projection that the BSP's victory in UP was the result of a dalit-brahmin alliance raises a few questions. For instance, why has only the BSP been successful in successfully building a dalit-brahmin equation? Why did the Congress not succeed in reviving its brahmin-Muslim-dalit arithmetic? Why was the Bharatiya Janata Party unable to make its 'samrasta' slogan functional? Moreover, the BSP has been contesting elections since the days of the Dalit Soshit Samaj Sangharsh Samiti (DS4) in 1981, yet why is it that only now it has been so successful?

One can argue that the BSP did not earlier welcome brahmins as it does now. But the question is, why did the brahmins earlier not support the BSP in the same proportion as they were given a share in seat allocation? We can argue that the brahmins came to the BSP once the party crossed a threshold with its traditional votes and they were convinced that the BSP could give them a sure victory. Moreover, the new elite and its younger generation have been stagnating in the Congress and BJP, as the established leadership has not given them any space for their development. Brahmins will stay with the BSP as long as the party has power and they themselves do not have space for development in other parties. Secondly, this alliance will not take a pan-Indian shape unless the BSP crosses a threshold in different parts of the country. In sum, the dalit-brahmin alliance in UP is not part of any social engineering process but a pure political adjustment.

That means the reasons for BSP's success in 2007 assembly elections are to be found in the historical nature and struggle of the "Bahujan Movement" – because the BSP is an offshoot of a movement and is also a movement in itself rather than only a political party [Kumar 2006]. This article is an attempt to analyse BSP's victory historically.

End of 'Chamcha Age'

The BSP's first step in politics was establishment of an "independent dalit political leadership" instead of a "dependent dalit political leadership" [Kumar 2003a]. The latter was present in the political parties that were led and dominated by the so-called upper castes and was a product of the politics of patronage – the 'ma-baap' culture. Against this Kanshi Ram produced an "independent dalit political leadership" in a party that was led and dominated by the dalits with an independent agenda. As a result, the BSP made the dalit leaders in other political parties redundant. The 2007 UP election was a witness to this phenomenon, with all political parties giving Mayawati a virtual walkover as far as the dalit votes were concerned. Except for giving tickets to dalits from reserved seats no political party tried to mobilise the dalits. Even during the election campaign no political party could present a dalit leader for mobilising the dalits, though they did have a number of such candidates for leadership.

This has happened because of the emergence of Mayawati. She has not only effectively mobilised the dalits in the BSP's favour but her style of governance and performance of her successive governments has consolidated dalit support. The dalits have virtually lost faith in dalit leaders from other parties. That is why this time in UP, BSP won a record 62 out of 89 reserved seats, i e, almost 70 per cent of the seats and garnered 77 per cent of the

Table 1: Party-wise Seats in Uttar Pradesh Assembly Elections (1989-2007)

Year/Party	1989	1991	1993	1996	2002	2007
BSP	13 (9.4)	12 (9.4)	69 (11.3)	97 (11.2)	98 (23.19)	206 (30.46)
SP	–	–	109 (17.9)	109 (21.80)	143 (25.43)	97 (25.45)
BJP	57 (11.6)	221 (31.5)	178 (33.3)	174 (32.5)	88 (20.12)	50 (16.93)
INC	94 (27.9)	46 (17.4)	28 (15.0)	33 (8.4)	25 (9.00)	22 (8.56)

Note: The figures in brackets represent the percentage of votes polled.
Source: Chief electoral officer Uttar Pradesh, Lucknow.

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dalit votes. Earlier it used to win only 22 to 25 per cent of the reserved seats. This can be called the end of what Manyavar Kanshi Ram used to call the "Chamcha Age" and the BSP has become the sole custodian of dalit votes.

Other Backward Classes

The other backward classes (OBCs) have always been the core component of Bahujan Samaj. A strong notion prevails among the general public that OBCs perpetrate atrocities on dalits. However, in UP as well in the rest of India, the OBCs do not form a monolithic whole. There are 79 castes, which come under the rubric of the OBCs in UP. Of the lot, the yadavs, kurmis, jats, lodhs and gujjars can be termed as economically and politically mobile. Internally differentiated on the class lines, these are still socially stigmatised and excluded from the higher bureaucracy. These castes cannot match the brahmins in UP, as far as bureaucratic power is concerned.

Granted these five castes are aggressive; what about the other 74 castes, which can be termed as most backward castes like the rajbhars, nais, mauryas, kushwahas, bindhs, sainis, nishads, kevats or mallahas, pals, noniyas, kumhars, etc, to name a few. Most of these castes have lost their traditional occupations and have had no access to political power. Their economic and political status is akin to dalits, especially in the countryside. How then can they be seen as exploiting dalits or brahmins? Moreover, in UP even the yadavs are not a monolithic whole as western and eastern UP yadavs have different lineages.

Over the years the BSP has developed an amicable relationship between the dalits and OBCs by propounding a common history of exploitation by the 'Manuwadis'. The pantheon of bahujan leaders which includes Jotiba Phule, Narayan Guru, Sahuji Maharaj, Babasaheb Ambedkar and E V Ramasamy Naicker Periyar helped further to unite bahujans in the Hindi heartland. Moreover, the BSP has developed a committed leadership among each sub-group of these OBCs. If the leaders failed to win direct elections they were nominated to the vidhan parishad and Rajya Sabha so that they could be visible in their communities. The BSP also directed OBC leaders to mobilise members of their castes in the reserved constituencies. Now these leaders and their castes have become the second pillar of BSP politics. That is why in the recent UP assembly elections, out of 110 tickets given to OBCs about 50 per cent have won, 27 per cent of OBCs (non-yadavs) voted for the BSP and 8 yadavs have also won.

It is surprising that mention of minorities is missing in most analyses of the BSP's historical victory though a record 29 Muslim candidates out of 61 tickets given to them have won on the BSP ticket. Never before in the history of BSP have so many minority candidates won. Why is there no discussion of the significance of the increased presence of Muslim MLAs in the BSP despite the fact that the party joined hands with the BJP not once but thrice?

The BSP has always included religious minorities in its definition of bahujans and since its inception has tried to bring them in its fold. Kanshi Ram's strategy was to mobilise the lower castes of Muslims – the ansaris, chikwas, kasais, ghosis, gaddis, churahars, lalbegs, etc, to name a few. To instil confidence among Muslims, the BSP appointed four cabinet ministers from the community in 1995 when the party formed its first government. Mayawati wrote a booklet entitled, 'Muslim Samaj Soche Samjhe Aur Tab Apne Vote Ka Istemal Kare' (Muslims Should Think, Understand and Then Vote) to woo the Muslim voters in 1999.

The BSP's efforts have slowly but surely convinced Muslims to support the party; this has ensured a regular flow of Muslims to its fold. Even in 2002, 12 MLAs had won on the BSP ticket. In the 2007 elections Mayawati deliberately gave a free hand to Naseemuddin Siddiqi, a Muslim face of BSP, who was projected as a leader with independent stature. He prevailed on the leadership to distribute tickets to candidates of his choice and he was given a separate aircraft for campaigning in the Muslim-dominated constituencies. This has paid rich dividends to BSP in the recent elections in which 17 per cent of the Muslims voted for the BSP.

From Bahujan to Sarvajan Party

BSP had started mobilising the upper castes in 1998-99 and in the 1999 parliamentary elections Kanshi Ram distributed approximately 12 per cent of tickets to the 'savarnas'. In the 2002 assembly elections BSP gave 38 tickets to brahmins, of whom only seven won and the party got only 4.7 votes of 'sarvajans'. But since the beginning of 2005 Mayawati started mobilising brahmins, kshatriyas, vaishyas and kayasthas vigorously. 'Brahmin Jodo Sammelan' (mobilise brahmin conferences) were organised across the state with a specific membership drive, which culminated in the "Brahmin Maha Rally" on June 9, 2005 in Lucknow. This was a tactical move because it changed the preconceived notions of brahmins about the BSP. To convince them further Mayawati groomed an upper caste leadership in her party and changed the party's slogan from 'Jiski Jitni Sankhya Bhari, Uski Utni Bhagedari' (representation of each (caste) according to its population) to 'Jiski Jitni Taiyari; Uski Utni Bhagedari' (representation of each (castes) on the basis of their ideological preparedness to accept BSP's ideology).

To bring in a larger number of savarnas, the BSP constituted 'Bhaichara Baraho Committees' (develop brotherhood committees) in every assembly constituency. The economically poor among the upper castes were made a target. Mayawati vehemently criticised former prime minister Atal Behari Vajpayee, a brahmin, for not paying attention to their problems. Finally, in a pragmatic move she distributed 86, 38 and 14 tickets to brahmins, rajputs and vaishyas, respectively, in the recent UP elections. In spite of making all these efforts and political manoeuvring Mayawati was not suffering from any illusion about the political commitment of so-called upper castes to BSP. Her speech on June 3, 2005 is a pointer in this regard:

> Bahujan Samaj should not trust the upper castes who are joining the party... because...it will take some time to change their hearts. Hence they should not rely or trust the upper caste in the constituencies where the candidates are from [the] Bahujan caste. The upper castes will not cast their votes in the favour of [the] Bahujan caste candidate. But Bahujan caste voters should transfer their votes totally in favour of [the] upper caste candidates in every constituencies where they are contesting on [the] BSP ticket, though in such constituencies also the upper castes will not vote en masse for the upper caste candidate contesting on the BSP ticket. But in this process, even if [the] upper caste candidate gets 2 to 3 per cent of the upper caste votes, the BSP as a party can enhance its tally from the

Table 2: BSP and Caste-wise Support in Assembly Elections, 1996-2007

Castes/Communities	Percentage of Voters		
	1996	2002	2007
Dalits	62	69	77
OBC (non-yadav)	13	20	27
Muslims	12	10	17
Upper castes	4	5	16

Source: Centre for the Developing Societies (CSDS), New Delhi.

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present by 50 to 60 seats. This will give the BSP a chance to form a majority government for a full five years term in the state [cited in Kumar 2007: 265].

In all, the BSP's leadership followed a different strategy, in this era of coalition politics, by directly forging an alliance with castes and communities instead of having an alliance with political parties. Along with its core constituency of dalits, OBCs and Muslims, the BSP mobilised the so-called upper castes and they also voted for BSP (Table 2).

Superior Organisational Machinery

Apart form consolidating its core constituency of dalits, OBCs and Muslims and adding savarnas, the BSP's success in the assembly elections of 2007 should be seen in terms of its superior organisational preparedness. For instance, the party had announced its prospective candidates almost one and a half years in advance. Further, while the national parties formed coalitions, the BSP contested elections alone. Moreover, in a shrewd political move BSP did not contest the civic polls held in November 2006 to avoid the embarrassment of defeat, as it knew its weakness in urban areas. That also helped the party avoid inner party bickering and prevented factions emerging in the local leadership.

Besides building a social movement and political manoeuvring, Mayawati has developed a charisma of an able administrator and hard taskmaster, cutting across caste and religious boundaries. She is considered to be the only political boss able to teach bureaucrats a lesson that they are the servants and not the masters. People remember her treatment of the self-styled aristocrat of Kunda to prove the point that no one is above the law. As far as commitment to her ideology is concerned, by pursuing the Ambedkar Village Scheme, effective implementation of the Atrocities Act, overseeing a communal riot-free regime in 1995, 1997 and 2003, she has justified her commitment to dalits, minorities and other marginalised sections of the state [Kumar 2003b]. By wooing the savarnas she projected herself as the leader of an umbrella party, which can carry all the castes/communities together.

Conclusions

The BSP's victory in the UP elections 2007 is the result of a "social engineering" process started some three decades ago by Kanshi Ram, which divided India's population into two imaginary group, 85 per cent bahujans and 15 per cent Manuwadis. Different castes in the social hierarchy were brought together via construction of a common history of exclusion. Lower caste Muslims were also made conscious of exclusion wihin their own religion and handed an agenda of development with independent leadership. While other parties offered food, shelter and employment BSP offered them "self-respect". After the demise of Kanshi Ram – the founder of 'Bahujan' ideology – Mayawati window dressed the so-called upper castes with the slogan 'Sarvajan', which is not a part of the social engineering as discussed earlier. But it is sure that dalits and OBCs and minorities have become more confident that their party can come to power on its own and are joining the BSP in different states. EPW

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Engaging with the Law on Adivasi Rights

Judicial interpretations of constitutional directives towards assuring adivasi rights have been of many kinds, especially in instances when such rights have overlapped with the discourse of sustainable development or the need to ensure the greater common good. The struggle to ensure adivasi rights is one that must then seek a constant engagement with the law.

AJIT MENON

The recent enactment of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (hereafter the STA)[1] reflects the perseverance of political activists to fight for "good" laws that seemingly uphold and protect adivasi[2] rights. However, how effective has the law been in addressing such rights in the past? Have legal spaces really existed through which rights have been upheld and protected? Why does the law remain so central to many struggles around rights to resources, though its role in such struggles has been chequered?

These questions are important in a context where neoliberal development increasingly appears to ride roughshod over rights – ironically using the law to do so – as has been witnessed in recent developments in Kalinganagar, Singur and Nandigram amongst others. This article has two main purposes: (i) to highlight the contradictions of law (statutory and case) due to competing priorities of rights, development and the environment; and (ii) to understand why these contradictory claims both necessitate engagement with the law but also limit its protective potential. This is done with a view to providing a genealogy of sorts to the STA and highlighting the importance of a more broad-based struggle that supplements the legal avenue.

Two Faces of Law

A considerable amount of literature has emerged over the last ten years in the Indian context exploring the potential of law to address social concerns (in particular rights) pertaining to the environment. At the heart of this debate has been the issue of whether or not the law is autonomous [Pathak 1994a; 1975]: autonomous not in a positivist sense where legal systems are considered to be independent and functioning with their own rules and norms (ibid: 1974), but in the sense that the law could be considered a contested domain

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